

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1550.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF VINEGAR.

On November 10, 1911, the United States Attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 65 barrels of vinegar remaining unsold and in the original unbroken packages and in possession of Smith Bros. & Burdick Co., Davenport, Iowa, alleging that the product had been shipped on or about July 26, 1911, by the Avis Cider & Vinegar Co., St. Louis, Mo., and transported from the State of Missouri into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act. Each barrel was branded: "Smith Bros. and Burdick Co., Distributors Pure Sugar Chick Brand Vinegar Davenport Iowa".

Misbranding was alleged in the libel for the reason that the barrels containing the product, or any of them, did not contain sugar vinegar, but, in truth and in fact, contained a product consisting in whole or in part of a dilute solution of acetic acid or distilled vinegar, which had been substituted for sugar vinegar; that the branding of said barrels as containing pure sugar vinegar was misleading and false and was such as to mislead and deceive the purchaser and was such as to enable the offering of the contents for sale as being pure sugar vinegar when, in truth and in fact, the same was not such as was offered for sale.

On January 18, 1912, judgment of condemnation and forfeiture was entered and it was further ordered that the goods should be released to claimants upon having a bond executed and delivered in conformity with section 10 of the Act, in the sum of \$500.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., *May 29, 1912.*